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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,307	12/22/2000	Steve Bush	314768005US	2669

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EXAMINER

REAGAN, JAMES A

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,307

Applicant(s)

BUSH ET AL.

Examiner

James A. Reagan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 52-63, 73 and 74 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 52-63, 73, and 74 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in response to the amendment and RCE filed on 18 January 2006.
2. Claims 10, 52, 58, 62, 63 and 73 have been amended.
3. Claim 74 has been added.
4. Claims 1-18, 52-63, and 73-74 are pending and have been examined.

RESPONSE TO ARGUMENTS

5. Applicant's arguments received on 18 January 2006 have been fully considered but they are not persuasive. Referring to the previous Office action, Examiner has cited relevant portions of the references as a means to illustrate the systems as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the first Office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims, except as noted above in the section labeled "Status of Claims." This information is intended to assist in illuminating the teachings of the references while providing evidence that establishes further support for the rejections of the claims.

With regard to the limitations of the claims, Applicant argues that the prior art of record does not teach nor suggest that a UID is associated with multiple nodes, or that a UID may be associated with more than one NID. The Examiner disagrees and points to the abstract as well as other relevant text in which Gautier clearly states that accounts may be distributed over several set top boxes and IP addresses.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Gautier, U.S. Patent Application Publication No. US 2004/0045031 A1.

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim 16:

Gautier discloses a method in a computer system for identifying common accounts, the method comprising:

- receiving a user identifier from a user (0042, 0044);

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- sending a log on request to a server computer, the request including the received user identifier, but not including an account identifier (0042, 0044);
- receiving a log on response from the server, the response including an account identifier associated with the received user identifier (0042, 0044); and
- when the received account identifier does not match an account identifier previously stored at the node, prompting the user to indicate whether the account identified by the received account identifier should be the same account as an account identified by an account identifier previously stored at the node (0042; 0044).

Claims 17-18:

Gautier further discloses including when the user indicates that the accounts should be common accounts, sending a log on request to the server computer, the request including the received user identifier and an account identifier previously stored at the node (0042, 0044).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-15, 52-63, 73, and 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gautier, U.S. Patent Application Publication No. 2004/0045031 A1 in view of Hagan et al. U.S. Patent Application Publication No. 2001/0054155 A1.

Claim 1:

Gautier discloses a computer-based method for identifying common accounts, the method comprising:

- assigning a first user identifier to a first account, the first account being associated with a first node (Figure 1, 0015: 0029);
- assigning a second user identifier to a second account, the second account being associated with a second node (0025; 0039', 0043);
- receiving a request from the second node that includes the first user identifier (0042);
- when the first account is not already associated to the second node, determining whether the first and second accounts represent the same account (0042, 0044);

Gautier, however, fails to explicitly disclose that when it is determined that the first and second accounts represent the same account, combining the first and second accounts into a single account. Gautier instead discloses maintaining two viewer accounts, however, associating the two viewer accounts with one network account. Hagan et al disclose a privacy and security

method and system for a worldwide web site and teach the establishment of accounts for users to compile medical history data wherein the user accounts are assigned an identifier (0030; 0052., 0062*, 0065', 0068*, 0069). Hagan, however, discloses a method for merging or combining two accounts into a single account for those users that have been assigned two different user identities in two separate accounts (0070). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Gautier and combine or merge the two user accounts into a single account such as that taught by Hagan et al for the benefit of easier management of the accounts. Hagan et al further notes that standard mailing-house merge-purge tools and methodologies can be used to merge two accounts (0070).

Claim 2:

Gautier further discloses wherein the determining includes requesting a user to indicate whether the first and second accounts represent the same account (0042, 0044).

Claim 3:

Gautier further discloses including identifying the second account to the user by specifying a user name associated with the second account (0041) 0042).

Claim 4:

Gautier discloses wherein when the user indicates that the first and second accounts represent the same account, requesting that the user provide credentials associated with the second account (0044).

Claim 5:

Gautier further discloses wherein each account has a user and the user of the first account is the same as the user of the second account (0044).

Claim 6:

Gautier further discloses wherein each account has a user and the user of the first account is not the same as the user of the second account (0043).

Claims 7-8:

Gautier fails to specifically disclose deleting one of the accounts and assigning the user identifier assigned to the deleted account to the remaining account and associating with the remaining account a resource that was associated with the deleted account. Gautier instead discloses maintaining a second account, however, combining these accounts so that they are associated with a common network account. However, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to delete any additional accounts in a scenario where any additional accounts are assigned the same preferences, configurations or access rights. The motivation would be to reduce the number of accounts that have the same or similar settings or preferences in order to decrease the amount of processing necessary to manage the accounts.

Claim 9:

Gautier discloses when it is determined that the first and second accounts do not represent the same account, associating the first account with the second account (0044).

Claims 10, 52 and 58:

Gautier discloses a computer-based method of generating a common account, one account being associated with a node, the method comprising:

- means for receiving at the node information relating to an account (0042-0044);
and
- means for, when the account to which the information is related is not currently associated with the node, determining whether the account associated with the

node and the node not currently associated with the node should be common accounts (0042-0044).

Gautier, however, fails to explicitly disclose that when it is determined that the first and second accounts represent the same account, combining the first and second accounts into a single account. Gautier instead discloses maintaining two viewer accounts, however, associating the two viewer accounts with one network account. Hagan et al disclose a privacy and security method and system for a world wide web site and teach the establishment of accounts for users to compile medical history data wherein the user accounts are assigned an identifier (0030., 0052., 0062., 0065) 0068; 0069). Hagan et al further disclose a method for merging or combining two accounts into a single account for those users that have been assigned two different user identities in two separate accounts (0070). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Gautier and combine or merge the two user accounts into a single account such as that taught by Hagan et al for the benefit of easier management of the accounts. Hagan et al further notes that standard mailing-house merge-purge tools and methodologies can be used to merge two accounts (0070).

Claims 11, 53 and 59:

Gautier discloses wherein the determining includes requesting a user to indicate whether the accounts are common accounts (0042., 0044).

Claims 12, 54 and 60:

Gautier further discloses including identifying the account associated with the node to the user by specifying a user name associated with that account (0041, 0042).

Claims 13, 55 and 61:

Gautier discloses wherein each account is associated with one or more user identifiers (0026, 0042).

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Claims 14, 56 and 62:

Gautier further discloses wherein the information relating to the account is a user identifier associated with the account (0026, 0042).

Claims 15, 57 and 63:

Gautier further discloses determining that the account to which the information is related is not currently associated with the node by receiving an indication of that account from another computer (0042).

Claim 73:

Gautier discloses a method in a computer system for identifying common accounts, the method comprising:

- receiving a user identifier and password (0042, 0044);
- sending a log on request to a server computer (0042, 0044),
- receiving a log on response from the server, the response including an account identifier associated with the received user identifier (0042, 0044); and
- when the received account identifier does not match an account identifier previously stored at the node, prompting the user to indicate whether the account identified by the received account identifier should be the same account as an account identified by an account identifier previously stored at the node (0042, 0044).

Gautier, however, does not specifically disclose that the log on request includes an account identifier since the user is attempting to establish a second account that has not yet been assigned an account identifier. Examiner submits, however, that it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to send the existing account identifier in the log on request in order to enable the combining of a newly established second account identifier with the existing account identifier as suggested by Gautier.

Gautier further fails to explicitly disclose that when it is determined that the first and second accounts represent the same account, combining the first and second accounts into a single account. Gautier instead discloses maintaining two viewer accounts, however, associating the two viewer accounts with one network account. Hagan et al disclose a privacy and security method and system for a worldwide web site and teach the establishment of accounts for users to compile medical history data wherein the user accounts are assigned an identifier (0030., 0052., 0062., 0065*, 0068', 0069). Hagan et al further disclose a method for merging or combining two accounts into a single account for those users that have been assigned two different user identities in two separate accounts (0070). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Gautier and combine or merge the two user accounts into a single account such as that taught by Hagan et al for the benefit of easier management of the accounts. Hagan et al further notes that standard mailing-house merge-purge tools and methodologies can be used to merge two accounts (0070).

Claim 74:

See the rejections of claims 1, 10, 16, 52, 58, and 73 above.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

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Washington, D.C. 20231

or faxed to:

571-273-8300 [Official communications, After Final communications labeled "Box AF"]

571-273-8300 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

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JAMES A. REAGAN

Primary Examiner

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24 March 2006

